

# eMARS User Group Meeting

## October 20, 2009



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# Agenda

**Opening Remarks**      Ed Ross

**Miscellaneous Items**      Barbara Aldridge-Montfort

**Reporting Update**      Diana Holberg

**Required Affidavit**      Don Speer

**Q & A**



# Miscellaneous Items



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# Description Fields

- Provide adequate and concise descriptions on JV's, CR's and payment documents
  - Document Description (Header)
  - Line Description (Accounting)
- Both the Document and Line Description fields are available on reports



# Technology Updates

- eMARS
  - Approved Browser: IE6 or IE7
  - Recommended Resolution: 1024 X 768 (or higher)
  - MS Office 2003 or 2007
- KBUD
  - Approved Browser IE7 or Firefox 2
  - Recommended Resolution: 1024 X 768 (or higher)
  - MS Office 2003 or 2007
- Other
  - Pop-up blocker OFF
  - Trusted Sites
    - <https://emars.ky.gov>
    - <https://reporting.emars.ky.gov>




# Successful Assembly

## ■ Formatting Tips

- Set top margin to 1.5
- Use *Normal* formatting for all text
- Use *Grid* formatting for all tables
- Do NOT use *Section* breaks
- Do NOT use *Page* breaks
- Do NOT use *Track Changes*
- Do NOT insert objects directly into the document

# Successful Assembly

- Save MSWord document as *.xml* file
  - Word 2007: Document must be saved as 2003 *xml*
- Upload T & C attachments in *xml* format
- Add *Supporting Documents* when necessary
  - Must be *xml* format
  - Will appear in Assembled document below T & C
  - Be careful not to insert blank lines
    - Delete using 

# Questions



# Financial InfoAdvantage 6.5 & BO XI Update



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# Financial infoAdvantage 6.5

- Improved start time
  - Summary tables are now populated using a different process (SQL Merge vs. PDI maps)
- Other improvements to come
  - SMRY\_LDGR\_C duplication eliminated
  - Backups restructured
  - Indexing conducted with more threads

# Financial infoAdvantage 6.5

- Changes in report support
  - Queries taking more than 10 minutes to execute will first be analyzed for potential design improvements before considered as database, communication or other technical issues
  - Those determined to have SQL issues will not be submitted to COT

# Business Objects XI Upgrade

- What?
  - Financial infoAdvantage from BO 6.5 to BO XI R3.1
- Why?
  - SAP Support
  - CGI Support
  - Improved Webi Functionality will eliminate need for Thick Client saving maintenance fees
- Who?
  - Affects all Financial infoAdvantage Reports (Webi and Thick Client)
  - Affects all infoAdvantage Users (report developers and occasional query users)
  - Does not affect KBUD users or reports (they already use BO XI R3.1)

# Business Objects XI Timeline

- **October 2009 – November 2009**
  - Testing patch (received 10/1)
  - Revising Statewide Reports to include “flag” variables (9/30-11/25)
  - SP2 Patch Installation to Production (11/27-11/29)
- **November 2009 – January 2010**
  - Conversion of Statewide Reports (from Thick Client to Webi)
- **December 2009**
  - Pilot group in Finance starts using BO XI R3.1

# Business Objects XI Timeline

- **January 31, 2010**
  - Schemas frozen for BO XI R3.1 migration

**NOTE:** Any reports created in 6.5 after 1/31/2010 will not be migrated to BO XI R3.1
- **February 2010**
  - Training for report developers
  - Overview sessions for other users
- **March 1, 2010**
  - Single sign-on transferred for “go-live”
  - All users, queries, reports on BO XI R3.1
- **Moving Forward**
  - All Thick Client (Deski) reports must be converted to Webi

# Business Objects XI Upgrade

- What does this mean for me?
  - **Immediately:**
    - Delete any reports that are obsolete or corrupted
    - Publish any Thick Client reports that are on your desktop computer (so they will be picked up for conversion)
  - **January 2010:**
    - Personal/Inbox documents to be converted will have to be published using Category = Convert (details to come)  
(limit 20 per user ID unless an exception is requested)
  - **February 2010:**
    - Any reports developed/changed in 6.5 will also have to be developed/changed in BO XI R3.1
  - **Moving Forward:**
    - Plan to convert Deski reports to Webi (timeframe TBD)

# Questions



# Required Affidavit for Bidders, Offerors, and Contractors



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# Why?

The Campaign Finance Sworn Statement requirement is statutory under KRS 45A.110. The Finance and Administration Cabinet already requires that this form be signed and notarized for FAC contracts, and our legal office has advised that the form should also be executed for other agency contracts and small purchases as a matter of law.

# Who must execute the Affidavit?

- This affidavit must be completed by all bidders who are competitively bidding on a procurement (including sealed bids and requests for proposals, including for Personal Service Contracts).
- It must also be executed by any vendor who is awarded a contract as a result of non-competitive negotiation (sole-source, not-practical-or-feasible-to-bid, or emergency contracts).
- It must also be executed by any vendor who is awarded a small purchase contract, to include transactions without a written contract, for dollar amounts greater than \$1000.

# When Must the Affidavit Be Executed?

- Competitive bids for goods, commodities, non-professional services, or professional services (Must be signed by all bidders, and notarized).
- Noncompetitively negotiated contracts (i.e. any sole source, not practical or feasible to bid, or emergency contracts) (Must be signed by contractor, (since no bid), and notarized).
- Small purchase awards, to include transactions without a written contract (for dollar amounts greater than \$1000). (If taking quotes, must be signed by awarded contractor only, and notarized).
- Stand alone payments (PRCs). (Must be signed by the authorized company representative, and notarized.)
- All Affidavits must be notarized in all circumstances, as the notary is witnessing the signature of the individual who is swearing under penalty of perjury.

# When Does the Affidavit NOT Have to Be Executed?

- Stand-alone payments for GAX, such as utilities, court-ordered payments, postage.
- Procurement Card payments.
- Purchases off Master Agreements (The affidavit will be obtained when MA is established and the agencies do not need to obtain affidavits for each individual purchase off an existing Master Agreement).
- Agreements between governmental agencies.
- Payments for dues, subscriptions.
- TPs for reimbursements to employees.
- Purchases or stand alone payments in amounts less than or equal to \$1000. Procurement requirements can not be parceled, split, divided, or scheduled over a period of time in order to subvert the intent of this procedure.

# Frequently Asked Questions

- **Does this apply to renewals?**
  - Yes. When a contract (competitive or non-competitive) is renewed for another term, the affidavit should be re-executed as of the date of renewal.
- **Does this apply to contract modifications?**
  - No. The affidavit does not need to be re-executed each time a contract modification is done.
- **Do we have to modify existing contracts, which do not have the affidavit, just to add the affidavit?**
  - No. However, as existing contracts are modified for other reasons, the buyers should go ahead and have the vendor execute the affidavit at the same time.

# More FAQs

- **Does the executed affidavit need to be attached to the contract in eMARS?**
  - PON2s do require it to be attached at the header. For all other eMARS documents, it is not necessary, but would be preferable from an auditing perspective. The agency can choose to just keep the original affidavit on file.
- **Can we accept an email and/or faxed copy of the affidavit or does it have to be an original?**
  - We can accept faxes or scanned and emailed affidavits, as long as they have been signed and notarized and as long as it is not for an out-of-state vendor (which requires an actual notary seal). Have the vendor mail in the original.

# More FAQs

- **Are prior arrangements exempt from the affidavit process?**
  - No- these would not be exempt.
- **We have been asked by several vendors if the cost of getting the affidavits notarized can be passed along to the state?**
  - No- it is part of them doing business with the Commonwealth.
- **If a vendor violates a part of the Affidavit, what action can be taken?**
  - Action could be taken against a vendor as indicated at the bottom of the affidavit: “failure to accurately disclose such information may result in contract termination, repayment of funds and other available remedies under law.”

# More FAQs

- **If we pay a vendor on an as needed basis, do we need to get an affidavit each time we make a payment or is the affidavit valid for a period of time?**
  - The affidavit does not cover a period of time, nor can one affidavit per vendor to be kept on file to cover multiple purchases/ payments, nor does one affidavit cover multiple agencies within a cabinet.
- **What if we encounter a vendor that refuses to provide the completed form?**
  - We can't contract with them.

# More FAQs

- **Can agency personnel that are notaries notarize these affidavits?**
  - Yes, the notary is supposed to witness the signature, and there is no objection to a state employee performing those duties for a vendor. The agency could have some employees who have jobs that require them to make frequent purchases – like maintenance workers- become notaries so they can notarize the signatures.
- **Can we pay the cost of an employee to become a notary?**
  - The agency can reimburse an employee the cost of becoming a notary on a TP. Information on how to apply to become a notary is available on the Secretary of State's website. The application fee is \$10. A notary public's term of office is for four years.

# More FAQs

- **Instead of having the vendor execute an affidavit for each purchase made, could we create a standing order in the form of a PO or PO2 and make payments against it?**
  - Yes, per the affidavit: “the award of a contract to the bidder or offeror or the entity which he/she represents will not violate any provisions of the campaign finance laws of the Commonwealth.” If the vendor executes the affidavit for the standing order, this is sufficient.

# What is a Standing Purchase Order?

- A "standing order" is a purchase order that has been issued to a vendor, against which purchases may be made.
- When repeated purchases of the same type of supply item are expected, multiple orders may be eliminated.
- New standing purchase orders must be issued each fiscal year.
- The EO1 process is applicable to these types of orders.

# Standing PO

- The standing purchase order can not exceed an agency's small purchase authority or single quote limit, nor can procurement requirements be parceled, split, divided, or scheduled over a period of time in order to subvert the intent of this procedure.
- If an agency's projected needs for like items will cost more than what it can purchase under its small purchase limit, the agency shall submit a Requisition to the Finance and Administration Cabinet, Office of Procurement Services for commodities and non-professional services.

# Terms and Conditions for Standing POs

- Please use the template which has been set up in eMARS called **SOPO** - Standing/Open Purchase Order. It contains clauses that cover:

## QUANTITY BASIS OF CONTRACT – ESTIMATED QUANTITIES

Any and all quantities mentioned in this Contract are purely estimates, and are not to be implied nor inferred as being guarantees. The State is obligated to buy only that quantity needed during the term of the contract.

## FUNDING-OUT PROVISION

The Vendor agrees that if funds are not appropriated to the agency or are not otherwise available for the purpose of making payments, the agency shall be authorized, upon thirty (30) days written notice to the Vendor, to terminate this contract. The termination shall be without any other obligation or liability of any cancellation or termination charges.



# Terms and Conditions for Standing POs

## CANCELLATION CLAUSE – 30 DAYS NOTICE

The Commonwealth may cancel the contract by giving written notice thirty (30) days prior to effective cancellation date. In the event such action is taken, the contract shall be null and void upon receipt of a Modification canceling the contract.

Make sure to incorporate your clauses by full text so they are included in the printed contract.

# Affidavit for PSCs, MOAs, Grants

- In order to ensure that agencies are procuring and processing their Personal Service Contracts (PSCs), Memorandum of Agreements (MOAs) and Grants in accordance with the methods prescribed in KRS 45A.690 – 45A.725, effective immediately agencies shall attach the signed and notarized Required Affidavit for Bidders or Offerors to the header of all contracts with non-governmental entities submitted for FAC review and approval. This includes all PON2 and PO2 contracts. Any contract with a non-governmental entity without the required Affidavit attached will be rejected back to draft phase.

# Related Links

- The latest version of the FAQs are posted on our website at <http://finance.ky.gov/business/procurementservices/procurementhowto.htm> under the FAQs link.
- The affidavit is posted at the <http://eprocurement.ky.gov>, under Standard Attachments, Attachment #2, or directly from this link:  
[http://eprocurement.ky.gov/NR/rdonlyres/3BE6C7AF-74CC-4E90-863E-158F8A352B55/0/Revised\\_Affidavit\\_Final\\_081809.pdf](http://eprocurement.ky.gov/NR/rdonlyres/3BE6C7AF-74CC-4E90-863E-158F8A352B55/0/Revised_Affidavit_Final_081809.pdf).

# Questions?



# Open Discussion/Q & A

